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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,333	03/24/2004	Tetsuo Okuyama	250997US2SRD

22850  
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

CONFIRMATION NO. 4007

## FORMALITIES LETTER



\*OC000000012861909\*

Date Mailed: 06/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

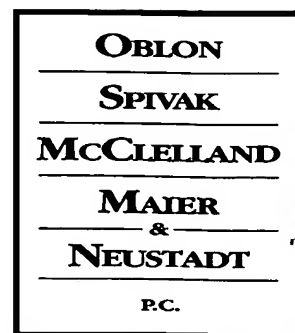
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202  
 PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED: 6/7/04  
 OBLON, SPIVAK, McCLELLAND  
 MAIER & NEUSTADT, P.C.  
**DOCKETING DEPT.**  
 Initials/Date Docketed: UP 6/7/04  
 Type of Resp(s): DEF  
 Due Date(s): 8/3/04



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Tetsuo OKUYAMA, et al.  
Serial No: 10/807,333  
Filed: March 24, 2004  
For: AIR BATTERY

SIR:

Attached hereto for filing are the following papers:

Filing of Declaration/Declaration  
Notice to File Missing Parts

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Docket No. 250997US2SRD

Customer Number


**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

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Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Eckhard H. Kuesters  
Registration No. 28,870

Joseph A. Scafetta, Jr.  
Registration No. 26, 803

Docket No. 250997US2SRD



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Tetsuo OKUYAMA, et al.

SERIAL NUMBER: 10/807,333

ATTN: APPLICATION BRANCH

FILING DATE: March 24, 2004

FOR: AIR BATTERY

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

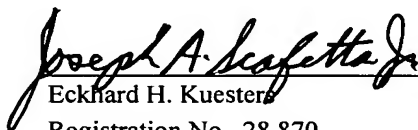
Responsive to the notification dated June 3, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the Title of the Invention and Inventor(s) name(s) and is believed, in combination with the application serial number and filing date contained in this cover letter, to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Eckhard H. Kuester

Registration No. 28,870

Joseph A. Scafetta, Jr.

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(OSMMN 05/03)

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